

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

MITZI BICKERS

No. 1:18-CR-98-SCJ-LTW

UNOPPOSED APPLICATION FOR PROTECTIVE
ORDER FOR DISCOVERY MATERIALS

The United States of America, by its counsel, Byung J. Pak, United States Attorney for the Northern District of Georgia, and Kurt R. Erskine and Jeffrey W. Davis, Assistant United States Attorneys, requests a protective order to limit defendant Mitzi Bickers' use and dissemination of information provided in discovery, pursuant to Federal Rule of Criminal Procedure 16(d)(1).

In support of its application, the United States submits as follows:

1. On March 27, 2018, a grand jury in the Northern District of Georgia returned an 11-count Indictment against the defendant for conspiring with others to bribe public officials, wire fraud, money laundering, obstruction and a criminal tax violation.

2. Pursuant to Federal Rule of Criminal Procedure 16, at Defendant's arraignment, the United States will produce a variety of discovery materials to the defense when requested. *See* FED. R. CRIM. P. 16(a)(1)(A)-(G). The defendant, through counsel, has made a request for Rule 16 discovery in this case.

3. The discovery materials associated with this case are voluminous. Moreover, the United States considers most of these records to be "sensitive

materials” – in that they contain dates of birth, home addresses, social security numbers, financial information, and federal and state tax information. Given the volume of discovery materials in this case, redaction of all “sensitive information” within the materials would be unduly burdensome and would be subject to error.

4. As a result, pursuant to Federal Rule of Criminal Procedure 16(d)(1), the United States requests that a protective order be issued to guard against the unwarranted dissemination of the discovery materials in this case. *See* FED. R. CRIM. P. 16(d)(1) (“[a]t any time the court may, for good cause, deny, restrict, or defer discovery or inspection, or grant other appropriate relief”).

5. First, the United States requests an order mandating that any discovery materials and all information included in the discovery materials (regardless of whether such materials are defined as discovery under Rule 16) that are provided by the United States to the defendant, shall not be further disseminated by the defendant or her counsel to any individuals, organizations, or other entities, except than to:

- a. Members of the defense team (co-counsel, paralegals, investigators, litigation support personnel, the defendant, and secretarial staff);
- b. Any experts or consultants retained to assist in the preparation of the defense; or
- c. The Court.

6. Second, the United States requests an order requiring that all discovery is to be provided and used by the defendant and his counsel exclusively for the purpose of allowing the defendant to prepare a defense, and that the defendant, defense counsel, or members of the defense team will not disseminate, disclose, or provide

the discovery produced by the United States to anyone who is outside of the defense team and not necessary to the preparation of the defense.

7. Third, the United States requests an order requiring that the defendant not be given directly copies of any “sensitive materials,” as defined above. The United States requests that these materials be reviewed while in the presence of the defense team and that the defense team maintains custody and control of the “sensitive materials.” The defendant, however, can have unfettered access to any “sensitive materials,” which contain only her personal information.

8. Counsel for the United States has consulted with defense counsel and he does not oppose the relief sought herein.

WHEREFORE, and based on good cause shown, the United States respectfully requests that the Court issue the submitted protective order.

Dated: April 20, 2018.

Respectfully submitted,

BYUNG J. PAK
United States Attorney

/s/ KURT R. ERSKINE
Assistant United States Attorney
Georgia Bar No. 249953

600 U.S. Courthouse ▪ 75 Ted Turner Drive
Atlanta, GA 30303 ▪ 404.581.6000

CERTIFICATE OF SERVICE

The United States Attorney's Office served this document today by filing it using the Court's CM/ECF system, which automatically notifies the parties and counsel of record for the defendant.

Dated: April 20, 2018.

S/ Kurt R. Erskine
Assistant United States Attorney